

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
:
FEDERAL HOUSING FINANCE AGENCY, : 11 Civ. 6200 (DLC)
:
Plaintiff, :
:
-v- :
:
:
CREDIT SUISSE HOLDINGS (USA), INC., et :
al., :
:
Defendants. :
:
-----X

ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY
FILED

10/30/13

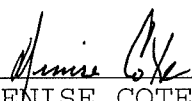
DENISE COTE, District Judge:

In two letters of October 24, FHFA seeks additional documents of former Credit Suisse executive Fallacara and documents relating to incentive-based compensation policies and procedures for certain Credit Suisse employees. Credit Suisse opposes these requests in letters of October 28.

The request for additional documents of Fallacara is denied. While FHFA has limited its request to documents which should not be difficult to locate, it has failed to show good cause for this document request at this late stage of the litigation. Any further document production will impose significant burdens on all parties, and FHFA has not shown that this request is timely or sufficiently critical to justify the burden.

The request for additional compensation-related documents is also denied. The Court has examined the Credit Suisse letters of November 19 and December 6, 2012. The parties agreed to narrow the request for compensation documents to those "related to the volume of loans acquired or securitizations closed." The December 6 letter does not alter that agreement. Having reached that agreement, Credit Suisse is not required to produce other compensation-related documents. Should any former or current Credit Suisse employee testify at a trial in these actions, FHFA may raise anew with Credit Suisse, and if necessary the Court, a request for a record of the compensation paid to such employee during his or her employment with Credit Suisse.

Dated: New York, New York
October 29, 2013



DENISE COTE
United States District Judge